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01/02/02

11064 U.S. PTO

PATENT

ATTORNEY DOCKET NO. LING.001.01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11036 U.S. PTO

10/040206



01/02/02

In re application of:  
Vishwanath R. Lingappa *et al*

Serial No.: Not Yet Assigned

Filed: January 2, 2002

For: HIV CAPSID ASSEMBLY-ASSOCIATED  
COMPOSITIONS AND METHODS

) Examiner: Not Yet Assigned

)

) Art Unit: Not Yet Assigned

)

) TRANSMITTAL

)

) NEW PATENT APPLICATION

)

**BOX PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Transmitted herewith for filing is a utility patent application.
  - a. Inventor(s): Vishwanath R. Lingappa, Jaisri R. Lingappa
  - b. Title of application: **HIV CAPSID ASSEMBLY-ASSOCIATED  
COMPOSITIONS AND METHODS.**
  - c. Attorney docket number: LING.001.01US

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EL 923476852 US

Date of Deposit: January 2, 2002

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the U.S. Patent and Trademark Office, PO Box 2327, Arlington, VA 22202.

(Signature) *Karen Anderson*

(Printed Name) 1/2-02

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2. Also enclosed are:

- ☒ 14 sheets of ☐ informal ☒ formal drawings(s).
- ☐ An ☐ executed ☒ unexecuted
  - ☒ Declaration and Power of Attorney.
  - ☐ Inventors' Declaration.
  - ☐ Power of Attorney by Assignee.
- ☒ An Assignment of the invention to UC Regents and an Assignment Recordation cover sheet.
- ☒ Applicant claims small entity status under 37 C.F.R. §1.27.
- ☐ Certified copy(ies) of \_\_\_ application number(s) \_\_\_ filed \_\_\_.
- ☐ An Information Disclosure Statement.
- ☐ A Preliminary Amendment.
- ☒ A sequence listing.
  - ☒ Paper copy.
  - ☒ Computer readable copy.
- ☒ Statement in Compliance with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence.
- ☐ A Petition for Expedited Foreign Filing License.
- ☐ A Declaration of Availability under MPEP 608.01(p)C.
- ☒ An Associate Power of Attorney.
- ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Form PTO/SB/35 or its equivalent is attached.
- ☒ Return postcard (postage prepaid).

3. This application is a:

- ☐ Continuation of prior application No.
- ☐ Divisional of prior application No.
- ☒ Continuation-in-part (CIP) of prior application No. 09/020,144

## PATENT

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4. The filing fee has been calculated as shown below:

FOR:	NO. FILED	NO. EXTRA	<u>SMALL ENTITY</u>		<u>OTHER THAN A SMALL ENTITY</u>	
			<u>RATE</u>	<u>FEE</u>	<u>RATE</u>	<u>FEE</u>
Basic Fee			\$370	<b>\$370</b>	\$740	\$
Total Claims	20	30	\$9	<b>\$270</b>	\$18	\$
Indep Claims	3	17	\$42	<b>\$714</b>	\$84	\$
[ ] Multiple Dependent Claims			\$140	\$	\$280	\$
Total Filing Fee:				<b>\$1,354</b>		\$

Other Fees

- [ ] Assignment Recording Fee  
     \_\_\_ Assignments @ \$40.00 each \$
- [ ] Petition for Expedited Foreign
- [ ] Filing License .....\$130.00 \$
- [ ] Other fees (list individually)  
     (none)

Total Other Fees: *Petition for color*

**TOTAL FEES:**

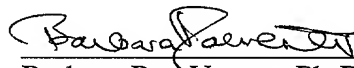
*\$130*  
~~\$1,354.00~~ *\$1484.00*

- [X] A check including the amount of the above indicated TOTAL FEES is attached.
- [ ] Please charge Deposit account No. 18-0020 the amount of \$.
- [ ] Filing fee is deferred. Please award a filing date and serial number based upon the enclosed specification (and any drawings), under 35 U.S.C. § 111.
- [ ] No fee is required.

- [X] Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.
- [X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020:
- [X] Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
- [X] Any patent application processing fees under 37 C.F.R. § 1.17.
- [X] A **duplicate** copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated: January 2, 2002

  
Barbara Rae-Venter, Ph.D.  
Reg. No. 32,750

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BRV/dhw

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Vishwanath Lingappa, *et al.* ) Examiner: Not Yet Assigned  
Serial No.: Not Yet Assigned ) Art Unit: Not Yet Assigned  
Filed: January 2, 2002 ) PETITION TO ACCEPT COLOR  
Title: **HIV Capsid assembly intermediates and** ) COPIES OF PHOTOGRAPHS  
**methods of production** ) UNDERS 37 C.F.R. § 1.84(a)(2)  
AND (b)(2)

**BOX Patent Application**

Assistant Commissioner For Patents  
PO Box 2327

Arlington, VA 22202

Sir:

Pursuant to 37 C.F.R. § 1.84(a)(2) and (b)(2), Applicants hereby petition the Commissioner to accept the color copy of a color photograph submitted herewith as formal drawings for Figure 11. It is necessary to use color photographs to show staining of Gag and HP68 in the slides shown in the figure Applicants submit that the copies of the photographs otherwise adhere to the drawing requirements under 37 C.F.R. § 1.84(b).

Upon granting of this petition please insert the following language as the first paragraph of the brief description of the drawings (page 5, line 32). "The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings will be provided by the Office upon request and payment of the necessary fee."

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Karen Anderson  
(Signature)

Karen Anderson  
(Printed Name)

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